

**UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA**

Linda Z. Sperberg,

Civil No. 08-6139 (RHK/SRN)

Plaintiff,

ORDER

v.

Vija Brown,

Defendant.

The above-entitled matter comes before the Court upon the February 2, 2009, Report and Recommendation of United States Magistrate Judge Susan Richard Nelson. No objections have been filed to that Report and Recommendation in the time period permitted.

Based on the Report and Recommendation of the Magistrate Judge, and all of the files, records and proceedings herein,

IT IS ORDERED that:

1. The Report and Recommendation (Doc. No. 5) is **ADOPTED**;
2. Plaintiff's Application To Proceed In Forma Pauperis (Doc. No. 2) is **DENIED**;

and

3. This action is **DISMISSED WITHOUT PREJUDICE**.

Dated: March 17, 2009

s/Richard H. Kyle
RICHARD H. KYLE
United States District Judge